

of more than forty thousand (40,000) inhabitants; providing the penalty for violation of this Act; repealing all laws and/or parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 54 on Third Reading

Senator Vick moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 54 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—27

|           |          |
|-----------|----------|
| Aikin     | Moffett  |
| Brown     | Moore    |
| Bullock   | Morris   |
| Carney    | Parrish  |
| Crawford  | Ramsey   |
| Graves    | Spears   |
| Hazlewood | Stanford |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Martin    | Winfield |
| Mauritz   | York     |
| Metcalfe  |          |

#### \* Absent—Excused

|         |         |
|---------|---------|
| Chadick | Shivers |
| Kelley  | Stone   |

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—27

|           |          |
|-----------|----------|
| Aikin     | Moffett  |
| Brown     | Moore    |
| Bullock   | Morris   |
| Carney    | Parrish  |
| Crawford  | Ramsey   |
| Graves    | Spears   |
| Hazlewood | Stanford |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Martin    | Winfield |
| Mauritz   | York     |
| Metcalfe  |          |

#### Absent—Excused

|         |         |
|---------|---------|
| Chadick | Shivers |
| Kelley  | Stone   |

#### Adjournment

On motion of Senator Martin, the Senate, at 12:05 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

#### APPENDIX

#### Communication

To the Members of the Senate of Texas:

Gratefully acknowledging  
and thanking you for your kind  
expression of sympathy  
Mr. and Mrs. H. L. Winfield.

March 2, 1945.

#### THIRTY-FOURTH DAY

(Tuesday, March 6, 1945)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

|           |          |
|-----------|----------|
| Aikin     | Moffett  |
| Brown     | Moore    |
| Bullock   | Morris   |
| Carney    | Ramsey   |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Martin    | Winfield |
| Mauritz   | York     |
| Metcalfe  |          |

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### Leaves of Absence Granted

Senator Chadick was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senators Kelley and Shivers were granted leaves of absence for today on account of important business on motion of Senator Bullock.

### Reports of Standing Committees

Senator Mauritz submitted the following reports:

Austin, Texas,  
March 5, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 19 by Henderson, have had said resolution under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MAURITZ, Chairman.

Austin, Texas,  
March 5, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 1 by Spears, have had said bill under consideration, and I am instructed to report it back to the Senate with recommendation that the bill do not pass but that Committee Substitute do pass in lieu thereof, and that substitute be printed.

MAURITZ, Chairman.

The committee substitute bill reported was read first time.

Senator Carney submitted the following report:

Austin, Texas,  
March 6, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 355, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Senator Bullock submitted the following report:

Austin, Texas,  
March 6, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Education to whom was referred H. B. No. 159, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BULLOCK, Chairman.

Senator Knight submitted the following report:

Austin, Texas,  
March 6, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Towns and City Corporations to whom was referred S. B. No. 212, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed, as amended.

KNIGHT, Chairman.

### Senate Bills on First Reading

The following bills were introduced, read first time, and referred to the committees indicated:

By Senator Weinert:

S. B. No. 213, A bill to be entitled "An Act to authorize guardians of the estates of minors and other persons, appointed under the laws of this State, to enter into pooling or unitization agreements covering the interest of their wards in the gas and gas rights in any lands which are subject to gas leases or oil, gas and mineral leases heretofore or hereafter made and entered into, so as to pool or unitize such gas and gas rights with similar rights under other lands and prescribing the manner in which said pooling or unitization agreements shall be made, and declaring an emergency."

To Committee on Oil, Gas and Conservation.

By Senator York:

S. B. No. 214, A bill to be entitled "An Act to amend Section 6 of Article 1995, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Stone:

S. B. No. 215, A bill to be entitled "An Act to amend Section 13 of Article 3912e as amended by Senate Bill No. 5, Acts 1935, Forty-Fourth Legislature, Second Called Session, Chapter 465, Page 1769 and as amended by H. B. 161, Special Acts 1939, of the Forty-Sixth Legislature, Regular Session, Chapter 12, Page 608, and as amended by S. B. 154, Acts 1941, of the Forty-Seventh Legislature, Regu-

lar Session, Chapter 61, Page 74; and to repeal all laws in conflict herewith, declaring this act to be severable, and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Lanning:

S. B. No. 216, A bill to be entitled "An Act designating the State Department of Health the state agency to make a complete survey of hospitals, hospital facilities, health centers, clinics, and related public health needs within the State of Texas; authorizing the State Board of Health to name a State Advisory Council for such survey; authorizing the State Health Officer to make and/or approve plans and applications for funds; and making an appropriation of Fifty Thousand Dollars (\$50,000.00) to the State Department of Health for the purpose of making such a survey, and declaring an emergency."

To Committee on Finance.

By Senator Ramsey:

S. B. No. 217, A bill to be entitled "An Act amending Sections 3 and 4 of Article 8306 of the Revised Civil Statutes of Texas, 1925, and Section 1 of Article 8309 of the Revised Civil Statutes of Texas, 1925, as amended by the Acts of 1937, 45th Legislature, page 537, Chapter 262, Section 1, and by the Acts of 1943, 48th Legislature, page 279, Chapter 176, Section 1, providing for rights of action against employers under the Workmen's Compensation Law who are authorized self-insurers; providing for actions for all damages sustained against non-subscribers and employers not authorized as self-insurers; defining the terms "employee," "association" and "subscriber"; setting forth the requirements of employers desiring to qualify as self-insurers; and declaring an emergency."

To Committee on State Affairs.

By Senator Jones:

S. B. No. 218, A bill to be entitled "An Act amending Article 5732, Revised Civil Statutes of Texas, 1925, prescribing the units or standard of measure of capacity for liquids and prescribing discharge capacity of liquid measuring devices; and declaring an emergency."

To Committee on Commerce and Manufacturing.

By Senator Bullock:

S. B. No. 219, A bill to be entitled "An Act making a certain emergency appropriation for the Court of Civil Appeals, Eleventh District, at Eastland, Texas, for the remainder of the current fiscal year ending August 31, 1945; and declaring an emergency."

To Committee on Finance.

By Senator Stone:

S. B. No. 220, A bill to be entitled "An Act making certain emergency appropriations for the State Board of Hairdressers and Cosmetologists for the remainder of the current fiscal year ending August 31, 1945; and declaring an emergency."

To Committee on Finance.

By Senator Stone:

S. B. No. 221, A bill to be entitled "An Act to amend Section 5, Chapter 66, Acts of 41st Legislature, 1930, page 212, as amended by Chapter 48, Acts of 43rd Legislature, page 100, so as to eliminate the right of referendum of school districts in counties having a city with a population of not less than forty-four thousand (44,000) and not more than forty-five thousand (45,000) inhabitants."

To Committee on Education.

#### Senate Joint Resolution on First Reading

The following resolution was introduced, read first time, and referred to the Committee on Constitutional Amendments:

By Senator Metcalfe:

S. J. R. No. 16, Proposing an amendment to Section 51 of Article III of the Constitution of the State of Texas by changing the tax levy for aid to Confederate Veterans and their widows from seven cents (7c) to two cents (2c) on the one hundred dollars (\$100.00) valuation, and authorizing the Legislature to levy an ad valorem tax not to exceed five cents (5c) on the one hundred dollar (\$100.00) valuation for the purpose of creating a special fund for the construction of permanent improvements at the state supported institutions of higher learning, exclusive of the Main University of Texas, the State Medical Branch, and the Agricultural and Mechanical College of Texas; providing for the necessary proclamation, form of ballot, publication, and date

of election, and making an appropriation to defray the necessary expenses of proclamation, publication, and holding the election.

#### Senate Bill 89 on Second Reading

The President laid before the Senate, as a special order for this hour, on its second reading and passage to engrossment:

S. B. No. 89, A bill to be entitled "An Act amending Section 6 of Chapter 125, Acts of the Regular Session of the 45th Legislature so as to authorize and require issuance of certificate of service to any fireman who has completed twenty years service, notwithstanding he may not have reached the age of fifty-five years; and declaring an emergency."

The bill was read second time.

Senator Metcalfe offered the following amendment to the bill:

Amend S. B. 89, page 1, by adding after the word "certificate" in line 42, the following: "provided further, that in order to participate in the benefits authorized under this act all persons shall continue to pay into the Firemen's Relief and Retirement Fund the amounts provided for all participants thereunder up to the time of their retirement."

The amendment was adopted.

On motion of Senator Metcalfe and by unanimous consent, the caption was amended to conform with the body of the bill as amended.

S. B. No. 89 was then passed to engrossment.

#### Senate Bill 89 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 89 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

|           |          |
|-----------|----------|
| Aikin     | Lanning  |
| Brown     | Martin   |
| Bullock   | Mauritz  |
| Carney    | Metcalfe |
| Crawford  | Moffett  |
| Graves    | Moore    |
| Hazlewood | Morris   |
| Jones     | Ramsey   |
| Knight    | Spears   |
| Lane      | Stanford |

Stone  
Taylor  
Vick

Weinert  
Winfield  
York

Absent

Sulak

Absent—Excused

Chadick  
Kelley

Parrish  
Shivers

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Motion to Take Up Senate Joint Resolution 9

Senator Vick moved that Section 5 of Article III of the State Constitution be suspended and that S. J. R. No. 9 be taken up for consideration at this time.

The motion was lost by the following vote (not receiving the necessary vote of four-fifths of the members of the Senate:)

Yeas—18

|          |          |
|----------|----------|
| Aikin    | Metcalfe |
| Brown    | Moffett  |
| Bullock  | Moore    |
| Crawford | Spears   |
| Graves   | Stanford |
| Jones    | Stone    |
| Knight   | Vick     |
| Martin   | Winfield |
| Mauritz  | York     |

Nays—5

|         |         |
|---------|---------|
| Carney  | Ramsey  |
| Lane    | Weinert |
| Lanning |         |

Absent

|           |        |
|-----------|--------|
| Hazlewood | Sulak  |
| Morris    | Taylor |

Absent—Excused

|         |         |
|---------|---------|
| Chadick | Parrish |
| Kelley  | Shivers |

(President pro tempore in the Chair)

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
March 6, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to

inform the Senate that the House has passed the following bills and resolution:

H. C. R. No. 18, Granting permission to Ed David and wife to bring suit against the State of Texas and against the Highway Department of the State of Texas.

H. B. No. 138, A bill to be entitled "An Act to abolish the Hundred and Eleventh Judicial District and the District Court thereof; providing for the transfer of its cases to the District Court of the Forty-ninth Judicial District; making bonds recognizances and writs and processes issued out of the District Court of the Hundred and Eleventh Judicial District returnable to the District Court of the Forty-ninth Judicial District; providing for the approval of statements of fact, bills of exceptions and the making of any other order necessary in cases tried in said District Court of the Hundred and Eleventh Judicial District and appealed; and declaring an emergency."

H. B. No. 274, A bill to be entitled "An Act amending Article 2665, Revised Civil Statutes of Texas of 1925, Acts of the Second Called Session, 1909, Page 432, as amended by House Bill No. 257, Acts, Regular Session, Forty-eighth Legislature, providing formulas to be used by the State Board of Education in estimating the necessary amounts to operate the schools for a period of not less than six (6) months; and declaring an emergency."

H. B. No. 275, A bill to be entitled "An Act amending Article 7043 of the Revised Civil Statutes of the State of Texas, as amended by House Bill No. 256, Acts, Regular Session, Forty-eighth Legislature, 1943, providing a formula for calculating the ad valorem rate of taxes to be collected for public free school purposes; and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,  
Chief Clerk, House of Representatives.

(President in the Chair)

#### Senate Bill 135 on Second Reading

Senator Aikin move that Section 5 of Article III of the State Constitution be suspended and that S. B. No. 135 be taken up for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—27

|           |          |
|-----------|----------|
| Aikin     | Moffett  |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Martin    | Winfield |
| Mauritz   | York     |
| Metcalf   |          |

#### Absent

Moore

#### Absent—Excused

|         |         |
|---------|---------|
| Chadick | Shivers |
| Kelley  |         |

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 135, A bill to be entitled "An Act amending Article 2665, Revised Civil Statutes of Texas of 1925, Acts of the Second Called Session, 1909, Page 432 as amended by House Bill No. 257, Acts Regular Session, Forty-eighth Legislature, providing formulas to be used by the State Board of Education in estimating the necessary amount to operate the schools for a period of not less than six (6) months; and declaring an emergency."

The bill was read second time.

Senator Metcalfe offered the following amendment to the bill:

Amend S. B. No. 135, page 1, lines 32 and 34, by striking out of said lines the word "base" and substitute therefor the word "average."

The amendment was adopted.

S. B. No. 135 was then passed to engrossment.

#### Senate Bill 135 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 135 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—28

|       |         |
|-------|---------|
| Aikin | Bullock |
| Brown | Carney  |

|           |          |
|-----------|----------|
| Crawford  | Morris   |
| Graves    | Parrish  |
| Hazlewood | Ramsey   |
| Jones     | Spears   |
| Knight    | Stanford |
| Lane      | Stone    |
| Lanning   | Sulak    |
| Martin    | Taylor   |
| Mauritz   | Vick     |
| Metcalf   | Weinert  |
| Moffett   | Winfield |
| Moore     | York     |

Absent—Excused

|         |         |
|---------|---------|
| Chadick | Shivers |
| Kelley  |         |

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

|           |          |
|-----------|----------|
| Aikin     | Moffett  |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Martin    | Winfield |
| Mauritz   | York     |
| Metcalf   |          |

Absent

Moore

Absent—Excused  
Chadick Shivers  
Kelley**Senate Bill 136 on Second Reading**

Senator Aikin moved that Section 5 of Article III of the State Constitution be suspended and that S. B. No. 136 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—28

|           |         |
|-----------|---------|
| Aikin     | Lane    |
| Brown     | Lanning |
| Bullock   | Martin  |
| Carney    | Mauritz |
| Crawford  | Metcalf |
| Graves    | Moffett |
| Hazlewood | Moore   |
| Jones     | Morris  |
| Knight    | Parrish |

|          |          |
|----------|----------|
| Ramsey   | Taylor   |
| Spears   | Vick     |
| Stanford | Weinert  |
| Stone    | Winfield |
| Sulak    | York     |

Absent—Excused

|         |         |
|---------|---------|
| Chadick | Shivers |
| Kelley  |         |

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 136, A bill to be entitled "An Act amending Article 7043 of the Revised Civil Statutes of the State of Texas, as amended by House Bill No. 256, Acts, Regular Session, Forty-eighth Legislature, 1943, providing a formula for calculating the ad valorem rate of taxes to be collected for public free school purposes; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 136 on Third Reading**

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 136 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

|           |          |
|-----------|----------|
| Aikin     | Moffett  |
| Brown     | Moore    |
| Bullock   | Morris   |
| Carney    | Parrish  |
| Crawford  | Ramsey   |
| Graves    | Spears   |
| Hazlewood | Stanford |
| Jones     | Stone    |
| Knight    | Sulak    |
| Lane      | Taylor   |
| Lanning   | Vick     |
| Martin    | Weinert  |
| Mauritz   | Winfield |
| Metcalf   | York     |

Absent—Excused

|         |         |
|---------|---------|
| Chadick | Shivers |
| Kelley  |         |

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

|       |         |
|-------|---------|
| Aikin | Bullock |
| Brown | Carney  |

|           |          |
|-----------|----------|
| Crawford  | Morris   |
| Graves    | Parrish  |
| Hazlewood | Ramsey   |
| Jones     | Spears   |
| Knight    | Stanford |
| Lane      | Stone    |
| Lanning   | Sulak    |
| Martin    | Taylor   |
| Mauritz   | Vick     |
| Metcalf   | Weinert  |
| Moffett   | Winfield |
| Moore     | York     |

|                |         |
|----------------|---------|
| Absent—Excused |         |
| Chadick        | Shivers |
| Kelley         |         |

**Senate Bill 114 on Second Reading**

Senator Moore moved that Section 5 of Article III of the State Constitution be suspended and that S. B. No. 114 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—28

|           |          |
|-----------|----------|
| Aikin     | Moffett  |
| Brown     | Moore    |
| Bullock   | Morris   |
| Carney    | Parrish  |
| Crawford  | Ramsey   |
| Graves    | Spears   |
| Hazlewood | Stanford |
| Jones     | Stone    |
| Knight    | Sulak    |
| Lane      | Taylor   |
| Lanning   | Vick     |
| Martin    | Weinert  |
| Mauritz   | Winfield |
| Metcalf   | York     |

|                |         |
|----------------|---------|
| Absent—Excused |         |
| Chadick        | Shivers |
| Kelley         |         |

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 114, A bill to be entitled "An Act amending Section 18, of S. B. No. 135, Acts of the Regular Session of the 48th Legislature so as to extend for an additional two years the provisions of such S. B. No. 135; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 114 on Third Reading**

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 114 be placed

on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

|           |          |
|-----------|----------|
| Aikin     | Moffett  |
| Brown     | Moore    |
| Bullock   | Morris   |
| Carney    | Parrish  |
| Crawford  | Ramsey   |
| Graves    | Spears   |
| Hazlewood | Stanford |
| Jones     | Stone    |
| Knight    | Sulak    |
| Lane      | Taylor   |
| Lanning   | Vick     |
| Martin    | Weinert  |
| Mauritz   | Winfield |
| Metcalf   | York     |

|                |         |
|----------------|---------|
| Absent—Excused |         |
| Chadick        | Shivers |
| Kelley         |         |

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

|           |          |
|-----------|----------|
| Aikin     | Moffett  |
| Brown     | Moore    |
| Bullock   | Morris   |
| Carney    | Parrish  |
| Crawford  | Ramsey   |
| Graves    | Spears   |
| Hazlewood | Stanford |
| Jones     | Stone    |
| Knight    | Sulak    |
| Lane      | Taylor   |
| Lanning   | Vick     |
| Martin    | Weinert  |
| Mauritz   | Winfield |
| Metcalf   | York     |

|                |         |
|----------------|---------|
| Absent—Excused |         |
| Chadick        | Shivers |
| Kelley         |         |

**Motion to Take Up Senate Bill 25**

Senator Stanford moved that Section 5 of Article III of the State Constitution be suspended and that S. B. No. 25 be taken up for consideration at this time.

The motion was lost by the following vote (not receiving the necessary four-fifths vote of all the members of the Senate):

Yeas—20

|         |          |
|---------|----------|
| Aikin   | Carney   |
| Brown   | Crawford |
| Bullock | Graves   |

|           |          |
|-----------|----------|
| Hazlewood | Spears   |
| Jones     | Stanford |
| Mauritz   | Taylor   |
| Metcalfe  | Vick     |
| Moffett   | Weinert  |
| Morris    | Winfield |
| Parrish   | York     |

Absent

|      |        |
|------|--------|
| Lane | Ramsey |
|------|--------|

Nays—6

|         |       |
|---------|-------|
| Knight  | Moore |
| Lanning | Stone |
| Martin  | Sulak |

Absent—Excused

|         |         |
|---------|---------|
| Chadick | Shivers |
| Kelley  |         |

**Motion to Take up Senate Bill 3**

Senator Moffett move that Section 5 of Article III of the State Constitution be suspended and that S. B. No. 3 be taken up for consideration at this time.

The motion was lost by the following vote (not receiving the necessary vote of four-fifths of the members of the Senate):

Yeas—17

|           |          |
|-----------|----------|
| Aikin     | Martin   |
| Brown     | Moffett  |
| Bullock   | Morris   |
| Carney    | Parrish  |
| Crawford  | Stanford |
| Hazlewood | Stone    |
| Jones     | Taylor   |
| Knight    | Winfield |
| Lane      |          |

Nays—10

|          |         |
|----------|---------|
| Graves   | Spears  |
| Lanning  | Sulak   |
| Mauritz  | Vick    |
| Metcalfe | Weinert |
| Moore    | York    |

Absent

|        |
|--------|
| Ramsey |
|--------|

Absent—Excused

|         |         |
|---------|---------|
| Chadick | Shivers |
| Kelley  |         |

**Senate Bill 122 on Second Reading**

Senator Lane moved that Section 5 of Article III of the State Constitution be suspended and that S. B. No. 122 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—28

|           |          |
|-----------|----------|
| Aikin     | Moffett  |
| Brown     | Moore    |
| Bullock   | Morris   |
| Carney    | Parrish  |
| Crawford  | Ramsey   |
| Graves    | Spears   |
| Hazlewood | Stanford |
| Jones     | Stone    |
| Knight    | Sulak    |
| Lane      | Taylor   |
| Lanning   | Vick     |
| Martin    | Weinert  |
| Mauritz   | Winfield |
| Metcalfe  | York     |

Absent—Excused

|         |         |
|---------|---------|
| Chadick | Shivers |
| Kelley  |         |

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 122, A bill to be entitled "An Act repealing Article 5253, Revised Civil Statutes of 1925; amending Article 5254, Revised Civil Statutes of 1925 by providing that the Commissioner of the General Land Office may have not more than 1500 copies of Supplemental Abstracts of patented, titled and surveyed lands printed and bound for distribution and providing that the Commissioner of the General Land Office shall have the authority to sell and distribute the undisposed of Volumes of Abstracts provided for in Chapter 291, Acts of the 47th Legislature, 1941, providing that all laws in conflict with this Act be repealed, and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 122 on Third Reading**

Senator Lane moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 122 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

|           |          |
|-----------|----------|
| Aikin     | Knight   |
| Brown     | Lane     |
| Bullock   | Lanning  |
| Carney    | Martin   |
| Crawford  | Mauritz  |
| Graves    | Metcalfe |
| Hazlewood | Moffett  |
| Jones     | Moore    |



|          |          |
|----------|----------|
| Morris   | Sulak    |
| Parrish  | Taylor   |
| Ramsey   | Vick     |
| Spears   | Weinert  |
| Stanford | Winfield |
| Stone    | York     |

Absent—Excused

|         |         |
|---------|---------|
| Chadick | Shivers |
| Kelley  |         |

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

|           |          |
|-----------|----------|
| Aikin     | Moffett  |
| Brown     | Moore    |
| Bullock   | Morris   |
| Carney    | Parrish  |
| Crawford  | Ramsey   |
| Graves    | Spears   |
| Hazlewood | Stanford |
| Jones     | Stone    |
| Knight    | Sulak    |
| Lane      | Taylor   |
| Lanning   | Vick     |
| Martin    | Weinert  |
| Mauritz   | Winfield |
| Metcalfe  | York     |

Absent—Excused

|         |         |
|---------|---------|
| Chadick | Shivers |
| Kelley  |         |

**Bill Signed**

The President signed in the presence of the Senate, after giving due notice, the following bill:

S. B. No. 68, A bill to be entitled "An Act to appropriate Twelve Hundred Twenty-eight Dollars and Ninety Cents (\$1,228.90) out of any money in the State Treasury, not otherwise appropriated, to pay the Railway Express Agency, and declaring an emergency."

**Message from the House**

Hall of the House of Representatives,

Austin, Texas,  
March 6, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

S. C. R. No. 19, To authorize a Service Ribbon to be issued to members

of volunteer military defense companies.

S. C. R. No. 20, Relative to transferring the present military installation located on the Indianola Anti-Aircraft Gunnery Range to the County of Calhoun.

Respectfully submitted,  
CLARENCE JONES,  
Chief Clerk, House of Representatives.

**Senate Bill 181 on Second Reading**

Senator Moffett moved that Section 5 of Article III of the State Constitution be suspended and that S. B. No. 181 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—28

|           |          |
|-----------|----------|
| Aikin     | Moffett  |
| Brown     | Moore    |
| Bullock   | Morris   |
| Carney    | Parrish  |
| Crawford  | Ramsey   |
| Graves    | Spears   |
| Hazlewood | Stanford |
| Jones     | Stone    |
| Knight    | Sulak    |
| Lane      | Taylor   |
| Lanning   | Vick     |
| Martin    | Weinert  |
| Mauritz   | Winfield |
| Metcalfe  | York     |

Absent—Excused

|         |         |
|---------|---------|
| Chadick | Shivers |
| Kelley  |         |

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 181, A bill to be entitled "An Act amending Article 1302, Title 32, Revised Civil Statutes of Texas, by adding a new section thereto to be known as "2A" authorizing the creation and operation of charitable corporations for the purpose or purposes of owning and operating non-profit cooperative hospitals, and for the purpose of providing medical, dental, health, surgical, nursing, hospitalization and related services and benefits, for the members and families of the members of such corporation; providing that such corporation shall not be deemed to be insurance companies and shall not be subject to the insurance laws of Texas; providing that such corporations shall not be authorized to be created and operated in

towns or cities of more than twenty-five hundred (2500) population, according to the last preceding Federal Census; repealing all laws or parts of laws in conflict with the provisions of this Act; providing that if any article, section, sub-section, sentence, clause or phrase of this Act is, for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of any remaining portions of the Act; and declaring an emergency."

The bill was read second time.

On motion of Senator Moffett, and by unanimous consent, further consideration of the bill was postponed until tomorrow, and it was set as a special order for that day immediately after House bills on the calender have been disposed of by the Senate.

#### Adjournment

On motion of Senator Vick, the Senate, at 12:10 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

## Senate Resolution No. 40

## (MAJOR FRANCIS E. SAVAGE)

Senator Jones offered the following resolution:

Whereas, many of our noble young men of Texas are sacrificing their lives for our Country in this War, and

Whereas, among them is Major Francis E. Savage, son of Mr. and Mrs. Robert L. Savage of Howe, Grayson County, Texas, who on May 26, 1942, was married to Miss Murrell Van Zandt, daughter of former Senator and Mrs. Olan R. Van Zandt of Tioga, Grayson County, Texas, and who was graduated from Dorchester High School in 1935 and from North Texas State Teachers College in 1939 and was coach and teacher in the Tioga High School for two years before entering the service; and

Whereas, Major Savage was pilot of the personal plane of Lt. General Millard E. Harmon whose entire crew is reported missing in the Pacific, and

Whereas, it is desire of the membership of the Senate to express to the grief stricken family and many friends their sorrow upon hearing this report and further to make recognition of the gallant heroism of this young Texas officer, now, therefore be it

Resolved that a copy of this Resolution be printed in the Senate Journal and be it further resolved that a copy be sent to the members of the family.  
JONES.

Signed—John Lee Smith, Lieutenant Governor; Senators, Aikin, Brown, Bullock, Carney, Chadick, Crawford, Graves, Hazlewood, Jones, Kelley, Knight, Lane, Lanning, Martin, Mauritz, Metcalfe, Moffett, Moore, Morris, Parrish, Ramsey, Shivers, Spears, Stanford, Stone, Sulak, Taylor, Vick, Weinert, Winfield, York.

The resolution was read.

On motion of Senator Moffett, the name of the Lieutenant Governor and the names of all Senators were added to the resolution as signers thereof.

The resolution was unanimously adopted.